

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
: EVERETTE L. SCOTT, JR., :
: :
: Movant :
: : 17-CV-9106 (JMF)
: -v- :
: : ORDER OF DISMISSAL
: UNITED STATES OF AMERICA, :
: :
: Respondent. :
: :
----- X

JESSE M. FURMAN, United States District Judge:

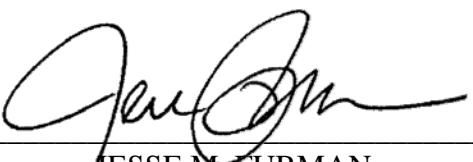
Movant Everette L. Scott, Jr. brings this *pro se* motion under 28 U.S.C. § 2255 challenging the legality of his sentence entered in *United States v. Gilliams, et al.*, No. 11-CR-975-2 (DAB) (S.D.N.Y. Oct. 16, 2013). On December 5, 2017, Judge Batts, to whom this case was then assigned, held that Scott's motion was deficient and ordered him to file an amended motion within sixty days. Judge Batts's Order noted that if Scott failed to do so, "the Motion will be denied." ECF No. 3, at 5. To date, Scott has failed to do so.

Accordingly, Scott's motion is DENIED. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to close the case and mail a copy of this Order to Scott.

SO ORDERED.

Dated: February 24, 2020
New York, New York



JESSE M. FURMAN
United States District Judge